

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

CHRISTOPHER NIX,

Petitioner,

v.

JIM ROBINSON,

Respondent.

No. 2:21-CV-0659-WBS-DMC-P

ORDER

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On February 15, 2022, the Court issued findings and recommendations that Respondent's motion to dismiss, which was at the time unopposed, be granted as such. See ECF No. 15. On March 21, 2022, Petitioner filed untimely objections to the findings and recommendations. See ECF No. 17. On April 22, 2022, the District Judge issued an order remanding the matter to the undersigned for consideration of Respondent's motion on the merits in light of Petitioner's March 21, 2022, filing. See ECF No. 18.

On the Court's own motion, Petitioner will be provided an opportunity to file a formal opposition to Respondent's motion to dismiss. Petitioner is cautioned that, if he fails to do so within the time provided, the Court will evaluate Respondent's motion in light of any arguments Petitioner presents in his March 21, 2022, filing.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner may file an opposition to Respondent's motion to dismiss within 30 days of the date of this order; and

2. Respondent may file a reply within 15 days of the date of service of any opposition filed by Petitioner.

Dated: May 20, 2022



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE